

**THE SEWER BOARD OF THE CITY OF NEW ALBANY, INDIANA HELD A MEETING IN THE 3<sup>RD</sup> FLOOR ASSEMBLY ROOM OF THE CITY/COUNTY BUILDING, NEW ALBANY, INDIANA ON TUESDAY, FEBRUARY 6, 2007 AT 3:30 P.M.**

**PRESENT:** Chairman Mayor James Garner, Vice Chairman Bill Utz, Kevin Zurschmiede, Todd Solomon and Larry Kochert.

**OTHERS:** Attorney Greg Fifer, Tim Crawford, Brian Dixon and Rob Sartell, EMC, and City Clerk Marcey Wisman.

**CALL TO ORDER:**

**Mayor Garner called the meeting to order at 3:37 p.m.**

**PLEDGE OF ALLEGIANCE:**

**APPROVAL OR CORRECTION OF THE FOLLOWING MINUTES:**

**Mr. Kochert moved to approve the January 23 minutes as amended, Mr. Solomon second, all voted in favor.**

**COMMUNICATIONS - PUBLIC:**

**Mayor Garner** asked Mr. Elling if he would like to go first so he could head back to Indianapolis.

**Mr. Elling** presented the board with a copy of the signed 15<sup>th</sup> Street Infrastructure Study and explained that they have begun the study and the soil boring would take place next week. He has talked with IDEM and the city will have to get a permit to install the temporary lift station but he did not think it was going to hinder their time table on the project. He asked when the board wanted to begin the bidding process and recommended the beginning of March.

**Mr. Solomon** asked Mr. Dixon if he was going to look over the plans.

**Mr. Dixon** stated that he does want to review the plans but he does not want to hold up the bidding while he is doing that.

**Mr. Fifer** stated that at the March 6<sup>th</sup> meeting they would approve the specs for the project and begin the bids. If it is still considered an emergency that they can get three bids and forgo the bidding process.

**Mr. Dixon** asked if they didn't have to go with bids if it was over \$75,000

**Mr. Fifer** stated that if it is an emergency that they could forego the bids.

**Mr. Elling** also provided a draft of Amendment #1 for the Engineering project for 15<sup>th</sup> Street for the cleaning; pumping and repair of the 15<sup>th</sup> street line for a total cost of \$203,000 for phase one. He stated that if EMC could clean the line up stream from Beeler prior to televising, it could reduce this cost. He explained that if they do not want to look at the storm sewers it could also reduce the total of Reynolds work by 1/3. He stated that it may also save them money if the contracted directly with Reynolds. His intent for today was to present this information for them to review and receive comments from them prior to the first meeting in March.

**Mayor Garner** stated that they could possibly call a special meeting if they feel this is an emergency that needs to be pushed forward.

**Mr. Fifer** asked to make a change on page two of the approved contract to have the controls on a pole and not in the hole with the lift station.

**Mr. Elling** stated that they did not intend to install those controls in the hole with the pump station.

**Mr. Fifer** asked if the estimated bypass pumping cost intended to include the period of construction as well.

**Mr. Elling** said no, that the estimate only includes the time it takes to clean it and televise it.

**Mr. Fifer** asked when he felt they would begin installing the pump station.

**Mr. Elling** stated that possibly they could start actual construction in three to four weeks.

**Mr. Fifer** asked if they would be looking at a similar de-watering cost for that same period.

**Mr. Elling** said no, that the de-watering period was only about a third of it

**Mr. Fifer** stated that \$40,000-\$50,000 should cover the bypass pumping while they are in the construction period.

**Mr. Elling** stated that amount should be more than enough.

**Mr. Utz** asked if Mr. Elling had said that 1/3 of that was storm water

**Mr. Elling** stated that they have estimated about 3000 feet of sanitation and 3000 feet of storm water.

**Mr. Solomon** asked if they should ask the storm water board if they would like to go in on this cost.

**Mr. Dixon** said that he would talk to the drainage board on Friday.

**Mr. Elling** stated that their intention was to bring the price back to a surplus so that it is easy to allocate.

**Mr. Dixon** asked what the advantage was of televising and cleaning both sewer lines.

**Mr. Elling** stated that it was his understanding that if the sanitary sewers were having this problem then the storm sewers probably were as well and that wanted to know about it right away.

**Mr. Fifer** asked Mr. Elling to write a memo and explain in layman terms what contract A and Contract B is suppose to do for the City Council.

**Mr. Elling** asked if he wanted them to include the information on the storm sewers as well.

**Mr. Fifer** stated that he is concerned with the sanitary sewers and maybe he could contact Tim concerning the storm sewers.

**Mr. Solomon** asked about the cost for the bidding process and he stated that it was his understanding that they wanted the pump station to be a more permanent pump station rather than a temporary.

**Mayor Garner** stated that if they design it with the 2-4 in mind with an upgrade as an option that would be the best direction to go in.

**Mr. Solomon** stated that we need a draft analysis for basin 35 – 40 for their next meeting.

**Mr. Elling** stated that they planned to have that by next Friday.

**Mr. Dixon** stated that he talked with IN-AWC and their cost for the work at Elm and 15<sup>th</sup> was \$257,000 and \$100,000 - \$110,000 was for the de-watering.

**Mr. Fifer** stated that he has presented them with a draft letter to CSX notifying them that they are going to be doing work out there and give them the opportunity to come in and talk with the board.

**Bill Inzer**, Chapel Lane: addressed the board regarding a development next door to him that is being built and he has talked with Mr. Brinkworth about whether or not he could hook on to the sewer line there and they believed that there are enough credits for him to hook on.

**Mr. Dixon** asked if they had sent the plans to IDEM.

**Mrs. Haley** stated that they have sent phase one to IDEM and that she has talked with Dale Mitchell who said they are willing to give Mr. Inzer 310 credits to hook up.

**Mr. Fifer** asked Mr. Dixon to contact Mr. Brinkworth to discuss this issue.

**Mr. Dixon** stated that he will contact Mr. Brinkworth.

**Steve Pry presented the final plat for Camron Court to be signed by the Board.**

**The Board signed the Plat.**

**Yvonne Kersey** addressed the board regarding an issue that she and Mr. Kochert have been working on and she has taken to her councilman, Steve Price, regarding the Mobile Home Shop on Main Street which is still on septic. She stated that Sam Lahanis and his crew went down and jack hammered this ladies basement even though they have stated that they can not go on private property. She also stated that this lady has paid sewer bills for many years.

**Mr. Fifer** stated that when he came on as the attorney he was advised of this issue. He sent a demand letter to the ladies husband that they connect, the husband called Sam at his request and they all met at the location and assured him that the building in question was unoccupied with no sanitary flow pump. He explained that the husband wanted the city to pay for the cost of connection the side that was being used to the sewer system. He told the husband that this would not take place and advised him that it was in an unhealthful condition and referred it to the Floyd County Health Department and the board decided that they would not subsidize a connection to the system.

**Mrs. Kersey** said that the woman is not asking for it to be subsidized; she just wants her basement repaired but she is willing to pay the tap in fee.

**Mr. Fifer** stated that the city did not create the condition that the building is in.

**Mr. Sartell** stated that he had went with Sam to this location to see what they could do and they found pieces of boards over a pit and the flooring was destroyed. Mr. Lahanis told the owners that it may be possible to jackhammer at the back of the building and attach to the sewer, but workers looked at the condition of the building and said they did not want to jackhammer there. He explained that the never did any jack hammering in that basement.

**Mrs. Kersey** stated that her husband restores old buildings and he disagrees.

**Mr. Sartell** stated that Mr. Kochert contacted him about this same property last January and him and Mr. Dixon went out to look at it the situation and advised the lady that owns the property now that she should contact a plumber or contractor to take the sanitary sewer down the side of the building.

**Mrs. Kersey** said that it was her understanding that the plumber was working with them to do this.

**Mr. Dixon** stated that the plumber contacted him and he explained to him what was going on and that the line did not have to go through the basement and he stated that they do not own a jackhammer, if they need to use one it has to be rented.

**Mrs. Kersey** said that there was also a property that she, Mr. Kochert, and Mr. Dixon had been looking at on Silver Street. She explained that it is a duplex that is housing some low-income individuals who are afraid to let anyone know that they are not on the sewers and she wants to know how they force people to hook up and why can't they get them on the sewers.

**Mayor Garner** stated that this is the first he has heard of it, but that Mr. Fifer would normally send a letter to the individual regardless of who it is.

**Mr. Fifer** stated that he is going to act accordingly no matter who owns a piece of property if he gets a report that there is an unhealthful situation.

**Mrs. Kersey** stated that the individual that are living in the duplex are to afraid to report anything because they are living from paycheck to paycheck.

**Mr. Fifer** stated that he is not responsible for the Floyd County Heath Department and if there is an unhealthful situation then it should be reported.

**Mrs. Kersey** stated that it has been reported and that EMC has been out to the site.

**Mayor Garner** asked for the address.

**Mrs. Kersey** stated that it was 1902 Silver Street.

**Mayor Garner** asked Mr. Dixon if he had been out there.

**Mr. Dixon** stated that they dye tested the property and it doesn't appear to be hooked into the sewer line.

**Mayor Garner** said that they will have Mr. Fifer send out the appropriate letter.

**Mrs. Kersey** asked if they needed copies of her papers to help her resolve the situation.

**Mayor Garner** asked if she has taken it to the drainage board

**Mrs. Kersey** stated that she has taken this to everyone and that the EPA has been aware of this since 1999.

**Mr. Sartell** asked what is going on with Main Street.

**Mrs. Kersey** stated that she thinks the entire section needs to be tested

**Mr. Dixon** stated that some of them have been tested and that they are on sewers. He stated that the only one that isn't is the building at 312 Main Street.

**Mrs. Kersey** asked about Stein Glass, and stated that you can see the sewage running out in the alley.

**Mr. Dixon** stated that it can be re-tested.

**Mr. Fifer** asked Mr. Dixon if they can get a sample and do a fecal test on it, and that just because something is running down the alley doesn't necessarily mean that it is sewage.

**Mr. Dixon** said that he could test it if he could get a clean sample and explained again that 312 is the only one that they are aware of that is not connected. He stated that 310 are

paying a sewer bill but 312 are not and he has told Kelly to start billing 312. He explained that he told the plumber that is working with the woman that owns the property how to connect 312 onto the sewer and that the person at 312 should pay a tap fee.

**Mrs. Kersey** asked what they could do about the basement

**Mr. Dixon** said that the damage was there before they ever got there.

### **COMMUNICATIONS - CITY OFFICIALS**

**Mr. Solomon** stated that they need to get all copies of signed contracts with attachments as well as all IDEM & EPA correspondence with attachments.

**Mr. Solomon made a motion that the board members receive full copies of all contracts including attachment as well as all correspondence to IDEM and EPA, Mr. Utz second, all voted in favor.**

**Mr. Solomon** asked Mr. Fifer if he has sent the EPA letter on Camp Avenue.

**Mr. Fifer** stated that he presented that at the last meeting.

**Mr. Solomon** asked if they had requested the credit for the Robert E. Lee interceptor.

**Mayor Garner** said that they had.

**Mr. Solomon** stated that he noticed that the over-flows have dropped off. He explained that they had 118 in 2005 and only 65 in 2006.

**Mr. Solomon** asked if Kay would be available for the next meeting.

**Mayor Garner** stated that she would be there.

**Mr. Solomon** asked what the status of the jail bond money was.

**Mayor Garner** stated that it is sitting there and that it hasn't been allocated.

**Mr. Solomon** asked if we have received the second amended consent decree.

**Mr. Fifer** stated no.

**Mr. Solomon** had several questions regarding the monthly waste water report.

**Mr. Sartell** explained the issues that Mr. Solomon had with the report.

**Mr. Solomon** asked what has happened with the spread sheet for the cleaning and televising.

**Mr. Crawford** stated that he was not able to get that done and that they had discussed the report in the monthly report with the spread sheet.

**Mr. Solomon** asked for the status of Lewis Street.

**Mr. Dixon** stated that he has put together the specs and plans but didn't know how the board wanted to proceed from there.

**Mr. Solomon** asked what the estimate was on the project.

**Mr. Dixon** stated that they had an estimate from MAC for \$180,000

**Mr. Solomon motioned to advertise for the Lewis Street Project, Mr. Kochert second, all voted in favor.**

**Mr. Solomon** asked if we inspect manholes while we are cleaning and televising.

**Mr. Dixon** stated that it is a visual inspection only and they are reported if they are actively leaking.

**Mr. Solomon** asked where the temporary site of the solid waste department was going to be located.

**Mr. Sartell** stated that it would be behind the liquor store by the waster water plant.

**Mr. Solomon** presented a draft for an advertisement for a Utility Manager along with a task list to be voted on at the first March meeting.

**Mr. Fifer** stated that this would need to be approved by the council and that they shouldn't get hopes up and then not be able to get this approved.

**Mr. Solomon** stated that he agreed with that.

**Mr. Solomon** asked Mr. Sartell, Mr. Crawford and Mr. Dixon what there roles are and if they spend all their time on sewers and where else they work.

**Mr. Sartell** stated that he is the facilities manager and he runs the lift station. He stated that 100% of his time is spent on New Albany sanitary sewers.

**Mr. Crawford** stated that he is the project director and develops additional programs as needed or required and 100% of his time is dedicated to New Albany sewers.

**Mr. Dixon** stated that he is working with the guys on the collections systems, cleaning and televising, construction activity, capital projects or repair work and he also does work for storm water. He stated that his time is divided differently at different times, but right now he is spending a fair portion of his time on storm water but that his time is dedicated 100% to New Albany.

**Mr. Solomon** asked about a grease informational program.

**Mr. Dixon** stated that he has been looking into that but that he has not found the best way to educate the public.

**There was a lengthy discussion about where to find information regarding the damage grease does in the sewer lines and the best way to educate the public about this issue.**

**Mr. Crawford** stated that he would contact IN-AWC to see what it would cost to ad a flyer in the bills.

**Mr. Solomon** asked if Mr. Fifer had contacted the resident on Kenzig Road about the hook up.

**Mr. Fifer** stated that he is still waiting to hear from Mrs. Welsh.

**Mr. Solomon** asked how many credits we have.

**Mrs. Haley** stated that there are approximately 21,000

**Mayor Garner** stated that the city council would like a monthly report on the number of credits.

**Mr. Fifer** suggested that it be put in EMCs monthly reports.

**Mr. Solomon** asked what was going on in Georgetown.

**Mr. Fifer** stated that they are still pursuing other options.

**Mr. Solomon** asked Mr. Sartell about the 10<sup>th</sup> Street PLC.

**Mr. Sartell** stated that the UPS has been replaced. He also reported that they pulled a pump at Robert E. Lee this past week and that it took them a while to shut down the valves.

**Mr. Solomon** stated that this is why this pump station needs to be re-done immediately because if the pumps go down there is no emergency bypass. He asked why the 10<sup>th</sup> street PLC went out but not the others.

**Mr. Sartell** stated that the theory is that there was a surge drop from the service provider and that the PLC is the closest to the transformer and the others are further down the line.

**Mr. Solomon** asked when they would receive the report from Delta and Frakes.

**Mr. Sartell** stated that they would receive that in their next packet.

**Mr. Solomon** stated that he would like to see something from EMC letting them know if the problem has been addressed or if they need to get someone else in to look at the issue. He explained that he understands that UPS is going to run the PLC, but if they are then the pumps should come back up.

**Mr. Sartell** stated that once it is tripped it won't come back on until the power comes back on.

#### **SEWER ADJUSTMENTS:**

**Mayor Garner** stated they have information from Kelly and Tina regarding delinquent sewer bills.

**Mr. Solomon** asked if there was a way to get a general spreadsheet that summarizes what needs to be done and what has been done.

#### **NEW BUSINESS:**

**Item #1 - Billy Greenwell, Greenwell Plumbing re: request for sewer credits for Shawnee Baptist College (Key Communications property)**

**Mr. Greenwell** addressed the board regarding the new Shawnee Baptist College and requested 6400 sewer credits.

**Mr. Dixon** stated that he doesn't think he should have to pay for a new tap but that they need more credits because they are changing the usage of the building.

**Mr. Greenwell** stated that they want to open the college by August.

**There was a lengthy discussion regarding how to calculate the number of credits needed for the project.**

**Mr. Fifer** suggested that they put a reserve on 6400 credits and then have Tina come back to the next meeting and give them a better estimate of what the number should be.

**Mr. Kochert** moved to approve the 6400 credits, **Mr. Solomon** second, all voted in favor.

**Item #2 - Jason Copperwaite, on behalf of Theinaman Development re: Stone Crest on Grant Line Road and a new development at Highlander Point.**

**Mr. Copperwaite** addressed the board regarding the Stone Crest Planned Unit Development which was previously awarded credits but there was a question on the capacity of the basin to which this will flow. He stated that a draft report came to the board regarding this basin and they are asking where the board wants them to go with this in regards to design.

**Mr. Dixon** stated that there was a problem at the man-hole on Grant line Road and according to the spread sheet that they received if 50 houses were added to this line it would cause SSO's in this portion of the line and if 150 units were added it would cause SSO's all the way down this line.

**Mr. Copperwaite** asked if it would help if they phase this in over a 5 year period.

**Mayor Garner** stated only if they want to give 3 million for the up-grade of this line.

**Mr. Fifer** stated that it was his understanding that they were proposing the first fifty units and talked about taking it to another basin on a temporary basis.

**Mr. Dixon** stated that there are lines that cross south of IUS and on IUS property that go to the Grantline pump station and he felt both of these lines had capacity. He stated that he doesn't know how much capacity the pump station has but that it does have some. He stated that they could also go along the railroad tracks on Grantline Rd but it would be more expensive for the developer.

**Mayor Garner** said that they needed to find out the capacity of the pump station because he doesn't think this can be sent to basin 35 at this time.

**Mr. Dixon** stated that the request he would have them make is to put a flow meter on the two lines to see how much capacity is there and then look at the pump station to see what the capacity is of that.

**Mr. Solomon** stated that if they are going to divert it over to the other basin they need to look at the entire development not just the fifty house, whether they choose to make it temporary or not and he believes that they will need certification from Clark Deitz.

**Mr. Fifer** asked if the board is willing to approve them going to another basin if the study from Clark Deitz is positive.

**Mr. Solomon** asked if they would need to pump.

**Mr. Copperwaite** stated that he believes that they can put in a gravity line.

**Mr. Solomon** stated that he doesn't feel comfortable with this because he does not know where this line is going and he would like for there to be a line map that they could look at

**Mr. Copperwaite** presented a proposed project for Highlander Point area. He presented a sketch that they are planning on of 97 single family dwellings and 125 apartments.

**Mr. Dixon** stated that this all flows into basin 4 which has reached its capacity and he asked that he present this information so that when they are looking at the priorities for up-grades that they would be aware that there is potential income for these projects.

**Mr. Copperwaite** stated that in order for approval from the County Plan Commission they need willingness to serve letter. He stated that this does not bind them to any number of credits or approval

**There was a lengthy discussion regarding how much the city would receive in tap fees for the proposed development and how those fees would be calculated.**

**Mr. Copperwaite** presented a proposed development for Old Hill Road and they would like to tie into a man hole on State Street at the end of Kenzig Road rather than the Corey



Lane Lift Station. He requested 6510 credits for 21 lots and for a willingness to serve letter and assuming that the sewers are designed and installed according to the specs of the city that the city would take over the lines with a one year warranty for materials and workmanship.

**Mr. Dixon** stated that he saw no problems with the plans for this connection.

**Mr. Solomon** asked where this line goes.

**Mr. Dixon** reported that it goes down Daisy Lane to the Brentwood Park area.

**Mr. Solomon** asked if this goes through the Janie Lane area.

**Mr. Dixon** stated that this is down stream of the Janie Lane area.

**Mr. Solomon** requested that the board ask Hans if there are any problems along this route.

**Mr. Fifer** stated that he would draft letters to be presented at the first March meeting to be approved.

### **OLD BUSINESS:**

#### **Item #1 - Clark Dietz re: Project Update**

**Mr. Christmas** stated that the construction for the Robert E. Lee interceptor is finished except for the restoration work of reseeding and tree planting. He stated that he is putting together a report for Badin 18 that he hopes to have ready by next Friday. He is still working on the Lafollette area study. He said he will present the Impact analysis study at the next meeting.

**Mr. Solomon** asked about Basin 4

**Mr. Christmas** explained that he has addressed it but that he is waiting on a response.

#### **Item #2 - Scott Adams re: Muirfield sewer easement**

**Mr. Adams** addressed the board regarding lot #37 in Muirfield subdivision and the vacation of no more than 3 feet of the sewer easement to accommodate the placement of a home on this lot.

**Mr. Dixon** stated that he has no trouble accessing this line from a man-hole off of the cul-de-sac.

**Mr. Solomon** stated that he does not have a problem with this but he feels that the utility should be compensated because they are giving up their rights

**Mr. Fifer** disclosed that he represents Mr. Adams. He reported that Mr. Adams purchased this development from another gentleman who platted this subdivision

**Mr. Adams** stated that he does not have a problem compensating the city for their administrative costs and asked if the board could approve the construction beginning pending the board's review of all the necessary documentation.

**Mr. Solomon motioned to approve a 3 foot vacation in lot 37 of Muirfield, Mr. Kochert second, all voted in favor.**

**Mr. David Ehlers** addressed the board regarding what K & E Environmental does for the city. He stated that they investigate over-flows on the sewer system. He gave an overview of his company. He presented a hand-out that showed who works for the company, annual rainfall and SSO events for the years 2000 – 2006 and annual overflows and bypasses for the years 2000 – 2006.

**Mr. Solomon** asked if they open man holes to take their samples or do they just test over flow.

**Mr. Ehlers** stated that they test over-flow but they do occasionally pop a man-hole to take samples. He explained that they try to open two-three every run.

**Mr. Solomon** asked how they estimate over-flow

**Mr. Ehlers** said it is just a visual assessment.

**Mr. Solomon** asked how they get their rain flow measurements.

**Mr. Ehlers** stated that they have three rain gauges around Floyd County and one in Clark County that they use.

**Mr. Solomon** asked if he maintain the rain gauges.

**Mr. Ehlers** said that he does.

**Mr. Solomon** asked about Linda Drive and if there were any changing that he would suggest.

**Mr. Ehlers** stated that he and Rob had discussed this and that they were 4600 manholes n that are, but that he couldn't tell them if there was any more over flow in the last two years because there are certain areas of the city that they do not even go in.

**Mr. Fifer** asked him to prepare a report on what man-holes they have found that over flow.

**Mr. McCormick** presented the December Report which he reviewed with the Board. Said report is on file with the City Clerk's office.

**EMC REPORT:**

**BIDS:**

**CLAIMS:**

**Mr. Dixon presented the following claims:**

Team Contracting	\$28,891.00	replace line reduction-Old Ford Road
K&E Environmental	\$60,776.06	final payment –Robert E. Lee
NA Municipal Utilities	\$47.55	SSO reports
CDI	\$19,709.41	Robert E. Lee lift station/Basin 4

**Mr. Solomon made a motion to approve the claims contingent upon Mr. Dixon getting verification on the Team Contracting deduction, Mr. Utz second, all voted in favor.**

**Mr. Crawford** reported that he drafted a letter requesting an opportunity to meet with the board in some fashion at their leisure to discuss the report that MIT put together

**Mr. Fifer** suggested establishing a smaller committee to work with him and then they will report back to the board their findings and recommendations.

**Mayor Garner** asked Mr. Utz and Mr. Zurschmiede to work with Mr. Fifer.

**ADJOURNMENT:**

There being no further business before the Sewer Board, the meeting adjourned at 7:10 p.m.

Respectfully submitted,

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Mayor James Garner, Chairman

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Marcey J. Wisman, City Clerk